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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ROBERT CHRISTOPHER REILLY III  
and SUZANNE DOROTHY REILLY,

Plaintiffs,

v.

BRIAN T. MOYNIHAN, et al.,

Defendants.

2:10-CV-1005 JCM (RJJ)

**ORDER**

Presently before this court is plaintiffs Robert and Suzanne Reilly's ("plaintiffs") motion for preliminary injunction. (Doc. #6). Plaintiffs previously moved this court for a temporary restraining order. (Doc. #3). This court denied plaintiffs' motion for temporary restraining order on July 1, 2010. ( Doc. #8). As in their motion for temporary restraining order, plaintiffs omit crucial information from their motion for preliminary injunction.

Although plaintiffs request the court to enter a preliminary injunction order against defendants, plaintiffs fail to inform the court exactly what they seek to enjoin defendants from doing. However, a preliminary injunction order is still not appropriate even if the court assumes plaintiffs seek to enjoin defendants from foreclosing on plaintiffs' property.

As with a temporary restraining order, a preliminary injunction requires that the plaintiffs establish: (1) the likelihood of success on the merits; (2) irreparable harm in the absence of preliminary relief; (3) balance of equities tipped in plaintiffs' favor; and (4) the injunction be in the public interest. *Winter v. Natural Resources Defense Council, Inc.*, \_\_U.S.\_\_, 129 S. Ct. 365, 374


1 (2008). Additionally, plaintiffs must demonstrate a threat of immediate and irreparable injury, loss,  
2 or damages when seeking a preliminary injunction order. *See* Fed. R. Civ. P. 65.

3 Here, plaintiffs are unlikely to succeed on the merits. Plaintiffs provide little or no legal  
4 support for the majority of their arguments. Additionally, it appears that plaintiffs have stopped  
5 making payments on their mortgage loans, and the balance of equities therefore does not tip in their  
6 favor.

7 Accordingly,

8 IT IS ORDERED, ADJUDGED, AND DECREED that plaintiffs Robert and Suzanne  
9 Reilly's motion for preliminary injunction (Doc. #6) be, and the same hereby is, DENIED.

10 DATED August 2, 2010.

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UNITED STATES DISTRICT JUDGE